

U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:10-cv-02061-BMC
Internal Use Only

Community Preservation Corporation v. 1974 Realty Associates
Assigned to: Judge Brian M. Cogan
Cause: 28:1441 Notice of Removal

Date Filed: 05/06/2010
Date Terminated: 06/02/2010
Jury Demand: None
Nature of Suit: 220 Real Property: Foreclosure
Jurisdiction: Federal Question

Plaintiff

Community Preservation Corporation

represented by **Steven J. Peddy**
Berkman, Henoch, Peterson & Peddy, P.C.
100 Garden City Plaza
Garden City, NY 11530
516-222-6200
Fax: 516-222-6209
ATTORNEY TO BE NOTICED

V.

Defendant

1974 Realty Associates

represented by **Mark Allen Frankel**
Bakcenroth Frankel & Krinsky, LLP
489 5th Ave
New York, NY 10017
212-593-1100
Fax: 212-644-0544
Email: mfrankel@bfklaw.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/06/2010	<u>1</u>	NOTICE OF REMOVAL from the Supreme Court of the State of New York, Kings County by 1974 Realty Associates (Filing fee \$ 350) Disclosure Statement on Civil Cover Sheet completed -yes, (Attachments: # <u>1</u> Civil Cover Sheet) (Bowens, Priscilla) (Entered: 05/07/2010)
05/06/2010	<u>1</u>	(Court only) ***Magistrate Judge Go chosen by random selection to handle matters that may be referred in this case. (Bowens, Priscilla) (Entered: 05/07/2010)
05/06/2010	<u>1</u>	FILING FEE: \$ 350, receipt number 4653014605 (Bowens, Priscilla) (Entered: 05/07/2010)
05/07/2010	<u>1</u>	ORDER TO SHOW CAUSE. Defendant is ORDERED TO SHOW CAUSE by 5/14/2010 why this case should not be remanded for failing to comply with Bankruptcy Rule 9027(a), which requires submission of copies of all pleadings and process in the action. Defendant is directed to print out a copy of this Order, fax it to plaintiff's counsel of record, and file proof of such service no later than 5/10/10. Plaintiff's counsel is ORDERED to register for ECF notices in this case no later than 5/14/10. Ordered by Judge Brian M. Cogan on 5/7/2010. (Cogan, Brian) (Entered: 05/07/2010)

05/10/2010	<u>12</u>	SCHEDULING ORDER: Initial Conference set for 6/1/2010 at 9:30 AM in Chambers 717S. SEE ATTACHED MANDATORY REQUIREMENTS FOR CONFERENCE. Ordered by Judge Brian M. Cogan on 5/10/2010. (Weisberg, Peggy) (Entered: 05/10/2010)
05/14/2010	<u>13</u>	RESPONSE TO ORDER TO SHOW CAUSE by 1974 Realty Associates (Frankel, Mark) (Entered: 05/14/2010)
05/14/2010	<u>14</u>	ORDER TO SHOW CAUSE. By Order entered 5/7/10, defendant was Ordered "to print out a copy of this Order, fax it to plaintiff's counsel of record, and file proof of such service no later than 5/10/10." No proof of such service has been filed. Defendant's counsel is therefore Ordered to Show Cause by 5/21/2010 why sanctions should not be imposed for failing to comply with this Court's Order. Ordered by Judge Brian M. Cogan on 5/14/2010. (Cogan, Brian) (Entered: 05/14/2010)
05/14/2010	<u>15</u>	AFFIDAVIT of Service for Order to Show Cause served on Community Preservation Corporation on May 13, 2010, May 14 2010, filed by 1974 Realty Associates. (Frankel, Mark) (Entered: 05/14/2010)
05/14/2010	<u>16</u>	AFFIDAVIT of Service for Response to Order to Show Cause served on Community Preservation Corporation on May 14, 2010, filed by 1974 Realty Associates. (Frankel, Mark) (Entered: 05/14/2010)
05/14/2010	<u>17</u>	STATE COURT RECORD (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit) (Frankel, Mark) (Entered: 05/14/2010)
05/21/2010	<u>18</u>	RESPONSE TO ORDER TO SHOW CAUSE by 1974 Realty Associates (Frankel, Mark) (Entered: 05/21/2010)
05/21/2010	<u>19</u>	AFFIDAVIT of Service for Response to Order to Show Cause served on Community Preservation Corporation on May 21, 2010, filed by 1974 Realty Associates. (Frankel, Mark) (Entered: 05/21/2010)
06/02/2010	<u>20</u>	Minute Entry and Order for Initial Status Conference held before Judge Brian M. Cogan on 6/1/10. Both sides present. The parties stipulated that the case should be transferred to the Southern District of New York so it can be referred to the Bankruptcy Judge presiding over defendant's Chapter 11 case. The Court found that the interests of justice would be served by a transfer for that purpose because the issue of the receiver's accounting as to the debtor/defendant's property should be determined by the Bankruptcy Court, and this Court therefore ordered the transfer under 28 U.S.C. 1404(a). The Clerk of the Court is directed to transfer this proceeding to the Southern District of New York. (Weisberg, Peggy) (Entered: 06/02/2010)
06/02/2010	<u>21</u>	Case transferred to District of New York–Southern. Original file, certified copy of transfer order, and docket sheet sent. ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE. (Marziliano, August) (Entered: 06/02/2010)